

REMARKS

Claims 16 – 36 are pending and under consideration.

In the Office Action, claims 16, 18, 19, 22, 23, 26-28 and 33-36 are rejected under 35 U.S.C. § 103(a) as being obvious over U.S. Patent Publication No. 2003/0078062 to *Burr* over U.S. Patent Publication No. 2004/0023678 to *Fredricksson*. The remaining claims are rejected as being obvious over *Burr* in view of *Fredricksson* and U.S. Patent 6,785,510 to *Larsen*.

On January 25, 2008, the undersigned discussed the application with the Examiner. The Examiner's time in preparing for and conducting the interview is acknowledged and gratefully appreciated.

The claims of the present application are clear that the mobile stations transmit both synchronization sequences and payload data. The independent claims are further clear that the mobile stations send the payload data with a range that is less than a range for the synchronization sequences. As such, the claims are clear that a single transmitting entity employs two different transmission ranges.

During the interview, Applicants argued that U.S. Patent Publication No. 2004/0023678 to *Fredricksson* employs two different transmitters, one for synchronization and one for data. Applicants argued that different transmitters necessarily have different reception areas. Fig. 1 of *Fredricksson* shows the reference time area 8 being larger than the network area 2. If different transmitters are used, then it would be almost impossible for the reference time area 8 to completely overlap the network area 2. It is not necessary for the two circles to be drawn as shown in Fig. 1. However, even if there is no overlap between the two circles 8, 2, it would be necessary that two circles exist.

On the other hand, U.S. Patent Publication No. 2003/0078062 to *Burr* employs a single transmitter for both synchronization information and data. One would expect that a single transmitter would have only one transmission range. If the diagram shown in Fig. 1 of *Fredricksson* were applied to *Burr*, one would expect to see only one circle. *Fredricksson* teaches to use a second transmitter to achieve a second circle. *Fredricksson* does not suggest using only one transmitter to achieve two circles.

Larsen does not cure the deficiencies discussed above with regard to *Fredricksson* and *Burr*.

During the interview, the Examiner seemed receptive to these arguments and tentatively indicated that his proposed combination of *Fredricksson* and *Burr* would not have been obvious. It is respectfully requested that the rejections be reconsidered and withdrawn.

There being no further outstanding objections or rejections, it is moved that this application is in condition for allowance. An Office Action to that affect is courtesy solicited.

Finally, if there are any formal matters remaining after this response, the Examiner is requested to telephone the undersigned to attend to these matters.

If there are any additional fees associated with filing of this Amendment, please charge the same to our Deposit Account No. 19-3935.

Respectfully submitted,

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